

Decision 14-07-003 July 2, 2014

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Address  
Utility Cost and Revenue Issues Associated  
with Greenhouse Gas Emissions.

Rulemaking 11-03-012  
(Filed March 24, 2011)

**ORDER CORRECTING ERROR**

The Commission has been informed of clerical errors in Decision (D.) 14-05-021, entitled “Decision Authorizing Electric and Natural Gas Investor-Owned Utilities to Sell Low-Carbon Fuel Standard Credits,” issued in Rulemaking (R.) 11-03-012 on May 19, 2014. The first error is contained in Ordering Paragraph 2,<sup>1</sup> which incorrectly states, “Electric and natural gas investor-owned utilities that wish to sell Low-Carbon Fuel Standard (LCFS) credits, and are already participating in the LCFS regulation, must file a Tier 2 Advice Letter no later than 60 days of issuance of this decision adopting policies for the return of Low-Carbon Fuel Standard revenue to customers.” The summary and text of D.14-05-021 correctly state that “Utilities that have already opted-in to the LCFS program must file a Tier 2 AL proposing upfront standards and plans for the sale of LCFS credits according to the parameters adopted in this decision no later than 60 days of issuance of the subsequent decision adopting a methodology for the use of LCFS revenues in accordance with the requirements set forth by ARB in Track 2 of R.11-03-012.”<sup>2</sup>

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<sup>1</sup> D.14-05-021 at 25 (OP 2).

<sup>2</sup> *Id.*, at 2 and 15.

The second error is contained in Ordering Paragraph 5,<sup>3</sup> which states, “Electric and natural gas investor-owned utilities that sell Low-Carbon Fuel Standard (LCFS) Credits must file a report with the Director of the California Public Utilities Commission’s (Commission’s) Energy Division by January 31 of each year addressing LCFS sales for the previous calendar year and other information as set forth in Appendix C to this decision.” However, in the text of the decision, the Commission states, in pertinent part, “Utilities must file also file a confidential report with the Energy Division Director by April 30 of each year containing information about LCFS credits for the prior year...”<sup>4</sup> In addition, Appendix C to D.14-05-021 reads “Utilities must also file a confidential report with the Energy Division Director by April 30 of each year containing information about LCFS credit sales for the prior year...”<sup>5</sup>

Ordering Paragraph 5 should therefore be replaced by “Electric and natural gas investor-owned utilities that sell Low-Carbon Fuel Standard (LCFS) Credits must file a report with the Director of the California Public Utilities Commission’s (Commission’s) Energy Division by April 30 of each year addressing LCFS sales for the previous calendar year and other information as set forth in Appendix C to this decision.”

Resolution A-4661, dated March 9, 1977, states that the Executive Director is authorized to sign, “...on behalf of the Commission, orders involving the correction of typographical and clerical errors, and other obvious, inadvertent errors and omissions in the decisions and orders of the Commission.” Further, “Each such corrective order, when signed and filed by the Executive Director, shall be deemed to be the order of the Commission.” Following careful

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<sup>3</sup> *Id.* at 25 (OP 5).

<sup>4</sup> *Id.* at 17.

<sup>5</sup> *Id.* at Appendix C.

consideration of the requested changes pursuant to Resolution A-4661, D.14-05-021 shall be amended to include the requested revisions.

**IT IS ORDERED:**

1. Ordering Paragraph 2,<sup>6</sup> which states, “Electric and natural gas investor-owned utilities that wish to sell Low-Carbon Fuel Standard (LCFS) credits, and are already participating in the LCFS regulation, must file a Tier 2 Advice Letter no later than 60 days of issuance of this decision adopting policies for the rerun of Low-Carbon Fuel Standard revenue to customers.” is replaced by “Electric and natural gas investor-owned utilities that wish to sell Low-Carbon Fuel Standard (LCFS) credits, and are already participating in the LCFS regulation, must file a Tier 2 Advice Letter no later than 60 days of issuance of the decision adopting policies for the return of Low-Carbon Fuel Standard revenue to customers.”

2. Ordering Paragraph 5,<sup>7</sup> which states, “Electric and natural gas investor-owned utilities that sell Low-Carbon Fuel Standard (LCFS) Credits must file a report with the Director of the California Public Utilities Commission’s (Commission’s) Energy Division by January 31 of each year addressing LCFS sales for the previous calendar year and other information as set forth in Appendix C to this decision.” is replaced by “Electric and natural gas investor-owned utilities that sell Low-Carbon Fuel Standard (LCFS) Credits must file a report with the Director of the California Public Utilities Commission’s (Commission’s) Energy Division by April 30 of each year addressing LCFS sales for the previous calendar year and other information as set forth in Appendix C to this decision. ”

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<sup>6</sup> D.14-05-021 at 25 (OP 2).

<sup>7</sup> *Id.* at 25 (OP 5).

3. Rulemaking 11-03-012 remains open.

This order is effective today.

Dated July 2, 2014, at San Francisco, California.

/s/ PAUL CLANON

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PAUL CLANON

Executive Director